

# **ALABAMA BOARD OF NURSING**

## **Chapter 610-X-2**

### **Definitions**

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**610-X-2-.01 Definitions.** The Alabama Board of Nursing hereby adopts by reference as its rule **Code of Alabama 1975**, §34-21-1, as amended.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama, 1975,**

**History:** Effective March 24, 1984.

## **610-X-2.02 Definitions, General**

- (1) May: power, privilege or right retained by the Board.
- (2) May not: prohibition.
- (3) Shall: duty, requirement, or condition precedent.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama, 1975, §34-21-2.**

**History:** Effective March 24, 1984.

## **610-X-2.03 Definitions, Nursing Education Programs.**

(1) **Approved Program:** A nursing education program that meets all of the standards as specified in these rules.

(2) **Articulation:** A planned process between two or more educational programs or systems to assist students to make a smooth transition from one program to another without duplication in learning or coursework.

(3) **Clinical and theoretical competence:** The possession of knowledge, attitudes and skills, and the ability to apply these attributes to meet current standards of nursing practice and education as specified in Chapter 610-X-6, Standards of Nursing Practice, Chapter 610-X-3, Nursing Education Programs, and Chapter 610-X-4, Licensure.

(4) **Clinical Learning Experiences:** Organized plan of learning experiences that provides nursing students an opportunity to develop competencies in the assessment, planning, implementation and evaluation of nursing care appropriate to the scope of practice for the level and type of program. Programs that offer only simulations or clinical testing do not meet the requirements for providing clinical learning experiences for nursing students.

(5) **Clinical Supervisor:** A licensed registered nurse, acting in a supervisory capacity of clinical learning experiences, who is accessible to assign or prescribe a course of action, give procedural guidance, direction and evaluation for a nursing student(s).

(6) **Curriculum:** An organized plan of study in nursing that includes both theoretical and clinical learning experiences essential for preparing students to be eligible upon graduation to apply for licensure as a registered nurse or licensed practical nurse.

(7) **Curriculum Outcomes:** A common set of competencies expected of a program's graduates upon completion of an organized plan of study. Outcomes are clear, measurable demonstrations of student learning that occurs at or after the end of a comprehensive set of learning experiences.

(8) **Deficiency(ies):** Failure of a nursing education program to meet one or more of the standards as stated in Chapter 610-X-3, Nursing Education Programs.

(9) **Distance Education:** A formal educational process in which the majority of the instruction in a course/program occurs when instructors and students are

not physically in the same location. The educational process may use various methodologies for communication, instruction, and evaluation.

(10) **Licensed Hospital:** A facility described in Code of Alabama, 1975, Section 22-21-20(1), other than a health maintenance organization, which has an organized medical staff or which employs the services of a medical director who is a physician licensed to practice medicine in Alabama. The term hospital shall not include the private offices of physicians or dentists, whether in individual, group, professional corporation or professional association practice.

(11) **Provisional Approval:** The initial status granted to a new nursing education program that evidences the potential to meet the standards set forth in Chapter 610-X-3, Nursing Education Programs.

(12) **Survey:** A comprehensive Board authorized on-site evaluation or review of a written report for a proposed or existing program that serves as verification of the program's compliance with the Board's educational standards.

(13) **Systematic Plan of Evaluation:** A comprehensive written document that reflects ongoing evaluation of all program components that includes, but is not limited to, collection of objective data, evaluation of outcomes, and results in improvements based on evaluative data.

(14) **Unencumbered license:** an active license that has no current stipulations, conditions, or limitations.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Ala. 1975**, §34-21-2(2)

**History:** September 27, 1982. **Amended** May 6, 1985. **Amended** May 23, 1997. **Repealed and Replaced:** Filed July 22, 2002. Effective August 26, 2002. **Amended** effective November 1, 2004. **Amended:** Filed September 25, 2006. Effective October 31, 2006. **Amended:** Filed September 21, 2007. Effective October 26, 2007.

#### **610-X-2-.04 Definitions, Licensure.**

(1) **Application(s):** form(s) and process for applicants seeking licensure by examination, endorsement, reinstatement, or renewal.

(a) **Incomplete:** missing requirements.

(b) **Complete:** meets requirements.

(c) **Void:** incomplete application not processed within one year of submission.

(2) **Continuing Education Earning Period:** Effective January 1, 2008, the earning period for licensed practical nurses shall be the same as the license period. Effective January 1, 2009, the earning period for registered nurses shall be the same as the license period.

(3) **Lapsed License:** failure of licensee to renew; does not require examination for reinstatement.

(4) **Emergency:** For purposes of this chapter, a declaration by the Governor of Alabama that an emergency impacting the public health, safety and welfare exists in Alabama.

(5) **Endorsement:** the process of application for and method of licensure for a registered or licensed practical/vocational nurse originally licensed in a jurisdiction other than Alabama.

(6) **Supervision, Direct:** licensed registered nurse physically present in facility and readily accessible to designate or prescribe a course of action or to give procedural guidance, direction, and periodic evaluation.

(7) **Verification:** the process of attesting to original or current licensure in Alabama. May be electronic, written or telephonic at the discretion of the Board.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama, 1975**, § 34-21-2, 41-22-9.

**History:** Effective March 24, 1984. Amended May 17, 2001. **Amended:** Filed November 26, 2007. Effective December 31, 2007.

#### **610-X-2.05 Definitions, Advanced Practice Nursing—Collaborative Practice (CRNP, CNM)**

(1) **Board of Medical Examiners:** The State Board of Medical Examiners established pursuant to **Code of Alabama 1975**, § 34-24-53.

(2) **Board of Nursing:** The Board of Nursing established under **Code of Alabama 1975**, §34-21-2.

(3) **Advanced Practice Nurse in Collaborative Practice:** A registered nurse who has gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles and has been approved by the Board of Nursing to engage in the practice of advanced practice nursing. Two categories of advanced practice nurses are subject to the requirements of collaborative practice:

(a) Certified registered nurse practitioners (CRNP).

(b) Certified nurse midwives (CNM).

(4) **Advanced Practice Nursing—collaborative practice:** The delivery of health care services by registered nurses who have gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles as certified registered nurse practitioners or certified nurse midwives:

(a) Practice as a certified registered nurse practitioner (CRNP) is the performance of nursing skills by a registered nurse who has demonstrated by certification advanced knowledge and skills in the delivery of nursing services

within a health care system that provides for consultation, collaborative management or referral as indicated by the health status of the client.

(b) Practice as a certified nurse midwife (CNM) is the performance of nursing skills by a registered nurse who has demonstrated by certification advanced knowledge and skills relative to the management of women's health care focusing on pregnancy, childbirth, the postpartum period, care of the newborn, family planning and gynecological needs of women, within a health care system that provides for consultation, collaborative management or referral as indicated by the health status of the client;

(5) Collaboration: A formal relationship between one or more certified registered nurse practitioners or certified nurse midwives and a physician or physicians under which these nurses may engage in advanced practice nursing as evidenced by written protocols approved according to the requirements of **Code of Alabama, 1975**, section 34-21-80 et seq. or exempted according to requirements of this statute. The term collaboration does not require direct, on-site supervision of the activities of a certified registered nurse practitioner or a certified nurse midwife by the collaborating physician. The term does require such professional medical oversight and direction as may be required by the rules and regulations of the Board of Nursing and the State Board of Medical Examiners.

(6) Physician or Collaborating Physician: A doctor of medicine or a doctor of osteopathy licensed to practice medicine in Alabama who agrees in writing to practice in collaboration with one or more certified registered nurse practitioners or certified nurse midwives according to the rules and regulations adopted by the Board of Nursing and the State Board of Medical Examiners.

(7) Joint Committee Of The Board Of Nursing And The State Board Of Medical Examiners For Advanced Practice Nurses. The Joint Committee of the Board of Nursing and the State Board of Medical Examiners for Advanced Practice Nurses is a committee composed of the following, pursuant to **Code of Alabama 1975**, section 34-21-80 et seq.

(a) Two physicians licensed to practiced medicine in the State of Alabama;

(b) One registered nurse licensed to practice professional nursing in the State of Alabama;

(c) One licensed physician engaged in collaborative practice with a certified registered nurse practitioner or a certified nurse midwife in the State of Alabama;

(d) One certified registered nurse practitioner engaged in advanced practice nursing with a physician in the State of Alabama; and

(e) One certified nurse midwife engaged in advanced practice with a physician in the State of Alabama.

(8) Legend Drug: Any drug, medicine, chemical or poison bearing on the label the words, "Caution, federal law prohibits dispensing without prescription" or similar words indicating that such drug, medicine, chemical, or poison may be sold or dispensed only upon the prescription of a licensed practitioner, except that the term legend drug will not include any drug, substance, or compound which is listed in Schedules I through V of the Alabama Uniform Controlled Substances Act.

(9) Prescribe or prescribing. The act of issuing a prescription for a legend drug.

(10) Prescription: An order for a legend drug which is issued and signed by a practitioner authorized by law to prescribe and administer such drugs and is intended to be filled, compounded, or dispensed by a pharmacist.

(11) Protocol: A document approved according to **Code of Alabama 1975**, section 34-21-81, establishing the permissible functions and activities to be performed by certified registered nurse practitioners and certified nurse midwives and signed by collaborating physicians and any nurse practitioners or nurse midwives practicing with those physicians.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama 1975**, § 34-21-81.

**History:** Effective June 26, 1995. **Amended:** Filed August 25, 2003. Effective September 29, 2003.

(12) Medical Oversight: Concurrent and on-going collaboration between a physician and a CRNP or CNM and documentation of time together in a practice site; may include but is not limited to direct consultation and patient care, discussion of disease processes and medical care, review of patient records, protocols and outcome indicators, and other activities to promote positive patient outcomes.

(13) Quality Assurance: Documented evaluation of the clinical practice of the certified registered nurse practitioner or certified nurse midwife against established patient outcome indicators, using a specified percentage or selected sample of patient records, with a summary of findings, conclusions, and, if indicated, recommendations for change.

(14) **Principal Practice Site:** The main location at which the collaborating physician is engaged in the practice of medicine.

(15) **Remote Practice Site:** An approved site for collaborative practice without an approved collaborating or covering physician on-site. The collaborating physician's principal practice site, acute care hospitals, skilled nursing facilities, licensed special-care assisted living facilities and licensed assisted living facilities are not remote practice sites for the purpose of these rules.

(16) **Readily Available:** Response by the collaborating or covering physician by telephone, telecommunication, or radio for consultation, referral, or direct medical intervention as indicated by the needs of a patient and based on usual and customary standards of medical practice.

(17) **Direct Medical Intervention:** Physical presence of a physician to attend the patient as defined in the collaborative practice protocol.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Alabama 1975, § 34-21-81.

**History:** Filed October 6, 2006. Effective November 10, 2006

#### **610-X-2-.06 Definitions, Standards of Practice**

(1) **Accountability:** Answerable or responsible for action.

(2) **Delegation:** The act of authorizing a competent individual to perform acts supportive to registered nurses or licensed practical nurses in selected situations.

(3) **Hospital:** A facility described in **Ala. Code 1975** section 22-21-20(1), other than a health maintenance organization, which has an organized medical staff or which employs the services of a medical director who is a physician licensed to practice medicine in Alabama. The term hospital shall not include the private offices of physicians or dentists, whether in individual, group, professional corporation or professional association practice.

(4) **Responsibility:** The charge to do something that is expected performance.

(5) **Standardized Procedure:** Written policies and protocols establishing the permissible functions, activities, and level of supervision of registered nurses and licensed practical nurses within a licensed hospital setting beyond basic nursing educational preparation. Standardized procedure(s) require(s) approval by the chief nursing administrator, chief medical officer, and chief executive officer as evidenced by each signature on the written policy(ies) and protocol(s).

(6) Standardized Procedure Report: Document submitted to the Board of Nursing identifying the standardized procedures used within a licensed hospital setting and the individual registered nurses and licensed practical nurses approved to perform the procedure.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama, 1975** § 34-21-2(c) (21).

**History:** Filed January 29, 2002. Effective March 5, 2002.

(7) Registered Nurse First Assistant (RNFA): A registered nurse who, through additional education and supervised clinical practice, has acquired knowledge, skills, and judgment that are specific to providing assistance during a surgical procedure as directed by the attending surgeon and as defined in standardized procedures.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama, 1975** § 34-21-2(c) (21).

**History:** Filed February 3, 2004. Effective March 9, 2004.

(8) Sexual Assault Nurse Examiner (SANE): A registered nurse who, through additional education and supervised clinical practice, has acquired knowledge, skills, and judgment specific to providing health services to sexual assault or rape victims including a forensics examination.

**Author:** Alabama Board of Nursing

**Statutory Authority:** **Code of Alabama, 1975**, § 34-21-2(c)(21)

**History:** Filed May 21, 2004. Effective June 25, 2004.

#### **610-X-2-.07 Reserved**

#### **610-X-2-.08 Definitions, Disciplinary Action.**

(1) Letter of Closure: A letter from the Board that notifies the registered nurse, licensed practical nurse or applicant for licensure that the case has been closed without discipline.

(2) Letter of Admonishment: A letter from the Board that addresses the areas of concern over the reported conduct and notifies the registered nurse, licensed practical nurse or applicant for licensure that the case has been closed without discipline.

(3) Reprimand: A formal censure by the Board.

(4) Fine: A monetary penalty imposed by the Board.



(5) Probation: The monitored practice of nursing which permits the nurse to continue to practice nursing pursuant to specified conditions as set forth by the Board.

(6) Suspension: The temporary withdrawal of the license by Board action.

(7) Revocation: The withdrawal of the license by Board action.

(8) Voluntary Surrender: The voluntary relinquishment of a license which shall have the force and effect of revocation.

(9) Abandonment: Acceptance of a patient assignment, thus establishing a nurse-patient relationship, and then ending the nurse-patient relationship without giving reasonable notice to supervisory personnel so that others can make arrangements for continuation of nursing care.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Alabama, 1975 § 34-21-2(c) (21).

**History:** Filed January 29, 2002. Effective March 5, 2002. **Amended:** Filed July 22, 2005. Effective August 26, 2005.

#### **610-X-2-.09 Definitions, Advanced Practice Nursing (CRNA, CNS)**

(1) Advanced Practice Nurse: A registered nurse who has gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles and has been approved by the Board of Nursing to engage in the practice of advanced practice nursing as a:

- (a) Certified registered nurse anesthetist.
- (b) Clinical nurse specialist.

(2) Advanced Practice Nursing: The delivery of health care services by registered nurses who have gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice as certified registered nurse anesthetists and clinical nurse specialists.

(a) Practice as a certified registered nurse anesthetist (CRNA) is the performance of or the assistance in any act involving the determination, preparation, administration, or monitoring of any drug used to render an individual insensible to pain for surgical and other therapeutic or diagnostic procedures under the direction of a physician licensed to practice medicine or a dentist.

(b) Practice as clinical nurse specialist (CNS) is the performance of advanced nursing skills by a registered nurse who, through study and supervised practice in nursing at the graduate level has advanced knowledge and practice skills in a specialized area of practice.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Alabama 1975, § 34-21-81

**History:** Effective June 26, 1995. **Amended:** Filed August 25, 2003. Effective September 29, 2003.

#### **610-X-2-10 Definitions, Continuing Education for Licensure**

(1) Board Approved Continuing Education Provider: An individual; partnership; association; organization; educational institution; governmental agency; or licensed health care facility, including hospitals, nursing homes, clinics, home health agencies, or other organized health care facilities, offering continuing education for nurses that meet Board criteria for approval.

(2) Board Recognized Continuing Education Provider: A national or regional agency, journal, Alabama regulatory agency or board, or another Board of Nursing recognized by the Alabama Board of Nursing as providing or approving continuing education in accordance with criteria that are substantially the same as those required of Alabama Board of Nursing approved providers of continuing education.

(3) Board Approved or Board Recognized Continuing Education Course: An activity that meets the definition of continuing education and has undergone approval by a Board approved provider or Board recognized provider of continuing education. A course or activity may be a program of multiple sessions or a single session lasting at least twenty-five minutes (0.5 contact hours).

(4) Continuing Education: Planned, organized learning experiences designed to augment the knowledge, skill, and attitudes for the enhancement of the practice of nursing to the end of improving health care to the public.

(5) Continuing Education Contact Hour: Unit of measurement of continuing education that meets Board criteria for approval and lasts at least fifty minutes

(6) Continuing Education Earning Period: Two-year period of time during which contact hours must be accrued. This period extends from October 1 of each license renewal year through September 30 of each succeeding license renewal year. The license renewal year for licensed practical nurses

occurs every odd year. The license renewal year for registered nurses occurs every even year.

(7) Independent Study for Continuing Education: Continuing education programs in a nursing journal whether online or in print, the development and oral presentation of a paper before a professional or lay group on a subject that explores new or current areas of nursing theory or practice, authoring or contributing to an article, book, or publication or designing or conducting a research study,

(8) Provider Number: A permanent, nontransferable number assigned by the Board to designate an approved provider.

(9) Refresher Course: A body of study with both theoretical and clinical components that are relevant to current practice modalities and technologies.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Alabama, 1975, §§ 34-21-2, 34-21-23 (f).

**History:** Effective March 22, 1991. Amended August 29, 1994. Amended May 24, 1996. Filed January 29, 2002. Effective March 5, 2002. **Amended:** Filed September 16, 2005. Effective October 21, 2005.

#### **610-X-2-.11 Reserved**

#### **610-X-2-.12 Reserved**

#### **610-X-2-.13 Voluntary Disciplinary Alternative Program**

(1) Voluntary Disciplinary Alternative Program (VDAP): A program authorized by the Alabama Legislature to promote early identification, intervention, treatment, and rehabilitation of any registered nurse, licensed practical nurse or applicant issued a valid temporary permit for licensure whose competence is found to be impaired or compromised because of the use or abuse of drugs, alcohol, controlled substances, chemicals, or other substances or as a result of a physical or mental condition rendering the person unable to safely practice nursing.

(2) Board-Recognized Treatment Provider: An organized program that meets Board-established criteria.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Alabama, 1975, § 34-21-25.

**History:** Effective August 29, 1994. Amended May 15, 2002.